

REMARKS

Claims 1-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,389,181 to Shaffer et al. ("the Shaffer reference") in view of U.S. Patent No. 6,154,755 to Dellert et al. ("the Dellert reference").

Amendments to the Claims

Applicants have canceled claims 1-20 and have added new claims 21-32. New claims 21-32 are supported by the original specification at least at page 6, line 23 to page 8, line 18. No new matter has been added by the new claims.

Rejections under § 103(a)

The Examiner rejected claims 1-20 under 35 U.S.C. § 103(a) as being unpatentable over *Shaffer* in view of *Dellert*. Although those claims are no longer pending in the application, they are discussed below in reference to the newly added claims.

Shaffer Reference

The Shaffer patent is directed to a system for generating a photocollage from a plurality of images. In the Shaffer system, a customer delivers photographs (e.g. film) to a processing facility (14) wherein an optical image is generated (16) and then scanned (18). The resulting digital images (32) are stored to a database (20). Meta-data (34) is also stored on the database (20) and is associated with the digital images (32). A customer order (36) and a customer profile (30) are then used by system to automatically create the photocollage. See, Shaffer at cols. 3-4.

Dellert Reference

The Dellert patent is directed to a system for identifying the pictures on a floppy disk. Photographic film (12) is scanned to produce "thumbnail" digital images of the pictures on the film. The thumbnail images are formatted into an array that is sent to a printer (16) that prints an index print (18) with an array of images (20). The system also creates higher resolution images that are written onto a floppy disk (24). A label (26) is printed and placed on the floppy disk (24). The index print of thumbnail images may be printed on the label. Software applications may also written to the floppy disk for use in viewing, editing, printing or other processing of the digital images. See, Dellert at cols. 2-3.

Pending Claims

Applicants respectfully submit that the cited art does not teach or suggest each and every limitation of new claims 21 and 26.

Claims 21 and 28 require the process or means of:

generating a label having a unique identifier, wherein the unique identifier is associated with the photograph and is adapted to be affixed to a storage device that holds a printed copy of the photograph.

Neither Shaffer nor Dellert teach or suggest "a **storage device** that holds a printed copy of the photograph." Instead, the cited references disclose storage of electronic copies of photographs on a floppy disk or database. Neither reference teaches or suggests that the printed copy of the photograph is held in "a storage device," such as an envelope, album or box.

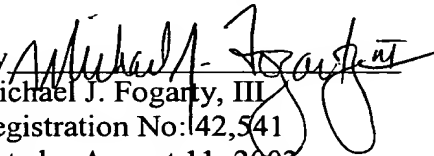
The cited references also lack any teaching or suggestion of "a **label** . . . adapted to be affixed to a storage device." Dellert discloses a label that can be affixed to a floppy disk, which is not the claimed storage device. Moreover, the Dellert label is lacking a "**unique identifier**" that is associated with photographs as required in the pending claims.

Conclusion

The proposed combination of the Shaffer and Dellert patents does not teach or suggest all of the elements in claims 21-32. Therefore, Applicants respectfully submit that the cited references cannot form the basis of a section 103 rejection for the pending claims.


Applicants believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 08-2025, under Order No. 10003824-1 from which the undersigned is authorized to draw.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 256033265 US, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: August 11, 2003

Signature: 
(John Pallivathukal)